IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.808 OF 2007

Ajit Chandrakant Satkar ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr.Shirish Gupte senior counsel with Jayesh B.Kocheta for applicant
Mr.S.S.Pednekar A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MARCH 22, 2007

P.C.

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking anticipatory bail in C.R.No.5 of 2007 of Vadgaon Maval Police Station, Dist. Pune. The said case is under Sections 3, 4 5, and 6 of Prevention of Immoral Traffic Act.

3. The prosecution case is that the applicant is the owner of "Golden Dream" hotel and he was granted permission to play orchestra in the said hotel. The police sent bogus customers to the

hotel on 23.1.2007 and it was found that prostitution business on large scale was being run in the said hotel. One of the girls involved therein, stated that out of the fees charged by the girls for their services, 60% was taken by the hotel management. It is not disputed that cash amount of Rs.1,34,200/- was seized from the hotel during the raid.

4. The learned counsel for the applicant has submitted that the said cash was not on account of prostitution business but it was cash which was received by the applicant on account of sale of sugar cane crop. He submitted that hence, the said amount cannot be attributed to prostitution business.

4. However, looking to the statement of girl and the other material gathered by the prosecution, in my view, the material is such as to point out an accusing finger towards the present applicant. The Apex Court has observed in the decision of the **Directorate of Enforcement Vs. P.V.Prabhakar Rao reported in 1997 S.C.C. (Cri.) 978** that when the material gathered by the prosecution is such that

it points out an accusing finger towards the accused, it is not a fit case to grant anticipatory bail.

6. In view of the above, the application for anticipatory bail is rejected.

[V.K.Tahilramani, J.]

[V.K.Tahilramani, J.]